

RECEIVED
UNION PARISH CLERK OF COURT

MAR 27 2018

3RD JUDICIAL DISTRICT COURT
PARISH OF UNION
STATE OF LOUISIANA

Third Judicial District Court
Deputy Clerk Deborah K. Andrews
@ 12:33 P.M.

No. C.D. 48, 208

DIVISION " "

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA, INC and
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

FILED: March 29, 2018

Deborah K. Andrews
DEPUTY CLERK

MOTION TO PROCEED IN FORMA PAUPERIS

MOVER, STANLEY JACKSON, is a citizen of the State of Louisiana and desire to avail himself of the benefits provided by law, especially the Louisiana Code of Civil Procedure, Articles 5181-5188, as amended, and begs leave of this Honorable Court to proceed "in forma pauperis."

MOVER further alleges that he is without means to pay costs in this action, either in advance or as they accrue, or to furnish security therefore (see attached fact sheet).

WHEREFORE, MOVER PRAYS that the Court allow him/her to proceed "in forma pauperis" as provided by the laws of the State of Louisiana.

SMITH & NWOKORIE
ATTORNEYS AT LAW
107 EAST BAYOU STREET
P. O. BOX 832
FARMERVILLE, LA 71241
(318) 368-9543 Telephone
(318) 368-9545 Fax

[Signature]
ATTORNEY FOR MOVER #05875

STATE OF LOUISIANA
PARISH OF UNION

BEFORE ME, personally came and appeared: STANLEY JACKSON, who, being duly sworn, did depose and say: That he/she is unable, because of his/her poverty and want of means to pay costs in advance or as they accrue or to furnish security therefore.

Stanley Jackson
MOVER

SWORN TO AND SUBSCRIBED, before me, on this 26th day of
March, 2018, at Farmerville, LA
CITY STATE

Jackeline Hill #8648
NOTARY PUBLIC
Jackeline Hill



3RD JUDICIAL DISTRICT COURT
PARISH OF UNION
STATE OF LOUISIANA

No. C.D. 48,208

DIVISION " " "

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA, INC and
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

FILED: _____

DEPUTY CLERK

FACTS CONCERNING MOVER

- 1) FULL NAME: Stanley Jackson
- 2) ADDRESS: 909 Hickory St
Lammerville La 71241
- 3) TELEPHONE: 318-608-9351
(HOME) (EMPLOYMENT)
- 4) BIRTH DATE: 12-05-1968 SOCIAL SECURITY NO.: 433-39-4593
- 5) PLACE OF BIRTH: E.A. Conway Monroe La
(CITY) (STATE)
- 6) MARITAL STATUS:
☒ SINGLE ☐ MARRIED ☐ SEPARATED
☐ DIVORCED ☐ WIDOWED
- 7) NAME OF EMPLOYER: _____
ADDRESS: _____

(CITY) N/A (STATE)
TELEPHONE: _____
LENGTH OF EMPLOYMENT _____
WAGES: WEEKLY \$ _____; BI-WEEKLY \$ _____;
MONTHLY \$ _____
- 8) IF MARRIED AND LIVING WITH SPOUSE:

SPOUSE'S NAME:

NAME AND ADDRESS OF EMPLOYER:

(ADDRESS)

(CITY AND STATE)

EARNINGS OF SPOUSE:

WEEKLY \$ _____; BI-WEEKLY \$ _____;

MONTHLY \$ _____

- 9) ARE YOU BUYING YOUR HOME? _____ YES ☒ NO

ADDRESS:

(CITY)

(STATE)

VALUE OF HOME: \$ _____ BALANCE OWED: \$ _____

- 10) DO YOU OWN OR HAVE AN INTEREST IN ANY OTHER LAND?

_____ YES ☒ NO

IF ANSWER IS YES, STATE THE NATURE OF PROPERTY AND ITS VALUE:

- 11) DO YOU OWN OR HAVE AN INTEREST IN ANY OF THE FOLLOWING:

- | | |
|----------------------------|--|
| A. AUTOMOBILE | <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO VALUE <u>\$12,500</u> |
| B. MOBILE HOME | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |
| C. BOAT | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |
| D. LIVESTOCK | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |
| E. MACHINERY | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |
| F. STOCKS | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |
| G. BONDS | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |
| H. CERTIFICATES OF DEPOSIT | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |
| I. BANK ACCOUNTS | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |
| J. SAVINGS ACCOUNTS | _____ YES <input checked="" type="checkbox"/> NO VALUE _____ |

12) IS ANYONE DEPENDENT UPON YOU FOR SUPPORT? ☒ YES ☐ NO

IF YOUR ANSWER IS YES, STATE THEIR NAMES, AGES, AND RELATIONSHIP:

Standardion Jackson 10 Son
(NAME) (AGE) (RELATIONSHIP)

Janisha Simpkins 15 Daughter
(NAME) (AGE) (RELATIONSHIP)

(NAME) (AGE) (RELATIONSHIP)

(NAME) (AGE) (RELATIONSHIP)

(NAME) (AGE) (RELATIONSHIP)

(NAME) (AGE) (RELATIONSHIP)

13) LIST ANY DEBTS YOU MAY HAVE:

CREDITORS	AMOUNT OWED
<u>Student Loan (SSI)</u>	<u>\$ 6000.00</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

14) LIST YOUR MONTHLY LIVING EXPENSES:

EXPENSES	AMOUNT PAID
<u>7-vill Water</u>	<u>130.00</u>
<u>Center point</u>	<u>50.00 SSI</u>
<u>Clayborne Elec</u>	<u>130.00</u>
<u>New Wave</u>	<u>130.00</u>

<u>Vehicle Gasoline and</u>	<u>\$ 275.00</u>
<u>Maint.</u>	
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

15) Do you have any income or asset(s), which is not shown above?

X YES NO

(IF YOUR ANSWER IS YES, EXPLAIN :)

\$ 750.00 SSI

16) Has your attorney explained to you or are you aware that it is a crime for which you could be sent to the penitentiary if you have intentionally given a false answer to any of the above? (R.S. 14:123)

X YES NO

X. Stanley Jackson
MOVER

STATE OF LOUISIANA
PARISH OF UNION

BEFORE ME, the undersigned authority, personally came and appeared STABLEY JACKSON who, after being duly sworn depose and said that he is the person who furnished the information contained in the above form; that he has signed same; that the information contained therein is true and correct; that this information is being furnished to 3RD JUDICIAL DISTRICT COURT, UNION PARISH for the purpose of inducing a judge thereof to permit appearer to proceed in the above captioned lawsuit pursuant to Louisiana Civil Code of Procedure 5181, et seq.

Stabley Jackson
MOVER

SWORN TO AND SUBSCRIBED, before me, Notary Public, at Farmerville, Louisiana, on this the 26th day of March, 20 18.

Jackuline Hill #8648
NOTARY PUBLIC
Jackuline Hill

STATE OF LOUISIANA
PARISH OF UNION

BEFORE ME, the undersigned authority, personally came and appeared Jonell Simpkins, who, after being duly sworn, depose and said:

That (HE/SHE) knows PLAINTIFF, who is the mover in the above-captioned matter and knows (HIS/HER) financial condition, and (HE/SHE) firmly believes that (SHE) is unable to pay costs in this cause in advance or as they accrue or to furnish security therefore.

Jonell Simpkins
(WITNESS)

SWORN TO AND SUBSCRIBED, before me, Notary Public, at Farmerville, Louisiana, on this, the 26th day of March, 20 18.

Jackuline Hill #8648
NOTARY PUBLIC
Jackuline Hill

3RD JUDICIAL DISTRICT COURT
PARISH OF UNION
STATE OF LOUISIANA

No. C.D. 48,208

DIVISION "____"

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA, INC and
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

FILED: March 29, 2018

Deborah K. Andrews
DEPUTY CLERK

ORDER

THE FOREGOING MOTION, supporting affidavit and sworn facts considered, let, STANLEY JACKSON, be permitted to file all pleadings, appear in, and prosecute or defend in this action without prior payment of costs or as they accrue, and without giving bond for costs, as provided by laws of the State of Louisiana Code of Civil Procedure Articles 5181, et seq., as amended.

Farmerville, Louisiana, on this 28 day of March, 20 18.

E. Joseph Bleich
JUDGE

E. Joseph Bleich
District Judge
Pro Tempore

3RD JUDICIAL DISTRICT COURT
PARISH OF UNION
STATE OF LOUISIANA

No. C.D. 48,208

DIVISION "____"

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA, INC and
SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.

FILED: March 29, 2018

Deborah K. Anderson
DEPUTY CLERK

AFFIDAVIT OF MOVER

STATE OF LOUISIANA

PARISH OF UNION

BEFORE ME, the undersigned Notary Public, personally came and appeared
STANLEY JACKSON, who, after being duly sworn, did depose and state that he is the
Mover in the above and foregoing MOTION TO PROCEED INFORMA PAUPERIS and
that all of the allegations of fact contained therein are true and correct to the best of his
information, knowledge and belief.

X Stanley Jackson
MOVER

SWORN TO AND SUBSCRIBED, before me, Notary Public, on this,
the 26th day of March, 2018.

Jackuline Hill #8648
NOTARY PUBLIC

Jackuline Hill

3RD JUDICIAL DISTRICT COURT*PARISH OF UNION*STATE OF LOUISIANA

STANLEY JACKSON

FILED: March 29, 2018

vs. C.D. No.: 48,208

FAMILY DOLLAR STORES OF LOUISIANA, INC.
and SEDGWICK INSURANCE COMPANY

Deborah K. Anderson
DEPUTY CLERK

PETITION FOR DAMAGES

NOW COMES Plaintiff, STANLEY JACKSON, a person of the age of majority who resides at 909 Hickory Street, Farmerville, Louisiana 71241, avers as follows:

MADE DEFENDANTS HEREIN ARE:

FAMILY DOLLAR STORES OF LOUISIANA, INC., a corporation doing business in the state of Louisiana as Family Dollar Store, store #5281 located in Farmerville, Louisiana.

SEDGWICK INSURANCE COMPANY, a corporation doing business in the state of Louisiana.

(1)

Venue is proper and this Court has jurisdiction over the parties.

(2)

On April 17, 2017, the Plaintiff STANLEY JACKSON was a customer of the Defendant at the Family Dollar Store #5281, located in Farmerville, Louisiana.

(3)

On the aforesaid date of April 17, 2017, the Plaintiff was shopping in the grocery area when he slipped and fell due to water on the floor, which was caused by a leak coming from an air conditioner in the ceiling of Defendant's store.

(4)

Defendant had knowledge of the wet floor, but was negligent in taking the appropriate action to correct the situation.

(5)

Defendant was further negligent by failing to post a sign or cone in the area of the wet floor.

(6)

Defendant **FAMILY DOLLAR STORES OF LOUISIANA, INC.**, through its authorized agent, Family Dollar Store, store #5281, failed in its duty to exercise due care and caution for the safety of the Plaintiff, and negligently and carelessly allowed invitees and customers to unsafely walk through the aisles and shop in its store without any notice regarding the hazard.

(7)

Defendant **FAMILY DOLLAR STORES OF LOUISIANA, INC.**, through its authorized agent, Family Dollar Store, store #5281, was negligent in one or more of the following, but not limited to:

- a) Carelessly and negligently failed to provide a reasonably and safe premises for and customers;
- b) Carelessly and negligently failed to maintain a safe store;
- c) Carelessly and negligently allowed water to be present on the floor in an area where customers walked;
- d) Carelessly and negligently failed to warn customers of water being present on the floor of the aisle;
- e) Carelessly and negligently failed to clean up the water in the aisle after Defendant knew or should have known that the water presented a danger.
- f) Failure to repair a defect within the store location.

(8)

As a direct and proximate result of Defendant's negligence, the Plaintiff suffered injuries. Plaintiff's damages suffered due to the fall are, but not limited, to the following:

- a) Medical expenses
- b) Physical pain and suffering
- c) Inconvenience
- d) Mental anguish
- e) Emotional distress
- f) Present medical expenses
- g) Future medical expenses

and all other items of damages that may be described in the pleadings, but not mentioned here.

(9)

Upon information and belief, the Defendant was insured at all times relevant by
SEDGWICK INSURANCE COMPANY.

(10)

The Defendants refused to amicably compensate the Plaintiff for his injuries.

WHEREFORE, the Plaintiff pray that Defendants be served with a certified copy of this
Petition, and after all proceedings are had, that there be a judgment in favor of the Plaintiff
against Defendants for all damages which Plaintiff alleges is sufficient for the purposes of a jury
demand and with legal interest from the date of judicial demand until finally paid.

RESPECTFULLY SUBMITTED:

SMITH & NWOKORIE
ATTORNEYS AT LAW
107 East Bayou Street
P.O. Box 532
Farmerville, LA 71241
(318) 368-9543 (Telephone)
(318) 368-9545 (Facsimile)

By: 

Brian G. Smith LSBA #25875

PLEASE SERVE

Family Dollar Stores of Louisiana, Inc.
through
C T Corporation System
3867 Plaza Tower Dr.
Baton Rouge, LA 70816

and

Sedgwick Insurance Company
through
C T Corporation System
3867 Plaza Tower Dr.
Baton Rouge, LA 70816

CITATION

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA INC,
ET ALCase: 00000048208
Division:
3rd Judicial District Court
Parish of Union
State of LouisianaTo: FAMILY DOLLAR STORES OF LOUISIANA, INC.
Through:
C T CORPORATION SYSTEM
3867 PLAZA TOWER DR.
BATON ROUGE, LA 70816

You are hereby summoned to comply with the demand contained in the Petition For Damages, exclusive of exhibits, which accompanies this citation or make an appearance either by filing a pleading or otherwise in the Third Judicial District Court in and for the Parish of Union, State of Louisiana within Fifteen (15) days after the service hereof, under penalty of default.

Witness my official hand and seal of office at Farmerville, Louisiana on this the 29th day of March, 2018.

Deputy Clerk of Court

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service on the party herein named _____
Domiciliary Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:
Parish of _____ this _____ day of _____, 20____.

Service \$ _____

Mileage \$ _____

Total \$ _____

By: _____
Deputy Sheriff

I made service on the named party through the

CT Corporation

Filed in Clerk's Office

APR 16 2018

APR 17 2018

by tendering a copy of this document to
☐ Jeannine Beauregard ☒ Brenna Beauregard
☐ Anson Reed

 Deputy Sheriff, Parish of East Baton Rouge, Louisiana

[RETURN COPY]

CITATION

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA INC,
ET AL

Case: 00000048208

Division:

3rd Judicial District Court

Parish of Union

State of Louisiana

To: SEDGWICK INSURANCE COMPANY
Through
C T CORPORATION SYSTEM
3867 PLAZA TOWER DR.
BATON ROUGE, LA 70816

You are hereby summoned to comply with the demand contained in the Petition For Damages, exclusive of exhibits, which accompanies this citation or make an appearance either by filing a pleading or otherwise in the Third Judicial District Court in and for the Parish of Union, State of Louisiana within Fifteen (15) days after the service hereof, under penalty of default.

Witness my official hand and seal of office at Farmerville, Louisiana on this the 29th day of March, 2018.

Nehemiah K. Anderson

Deputy Clerk of Court

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service on the party herein named _____
Domiciliary Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:

Parish of _____ this _____ day of _____, 20____.

Service \$ _____

Mileage \$ _____

Total \$ _____

By: _____
Deputy Sheriff

Filed in Clerk's Office

APR 26 2018
Joannine Beauregard
Deputy Sheriff, Louisiana

APR 16 2018

[RETURN COPY]

I made service on the named party through the
CT Corporation

APR 17 2018
by tendering a copy of this document to
☐ Jeannine Beauregard ☐ Brenna Beauregard
☐ Anson Reed
E. Cummins
Deputy Sheriff, Parish of East Baton Rouge, Louisiana



Smith & Nwokorie

ATTORNEYS & COUNSELORS AT LAW

BRIAN G. SMITH
ANSELM N. NWOKORIE
TIKISHA Y. SMITH

OF COUNSEL
PATRICE BENN-ABBAY

Please correspond to Farmerville office
Writers Email: Lawofficebs@bellsouth.net

April 30, 2018

Filed in Clerk's Office

VIA U.S. MAIL

Dodi Eubanks
Clerk of Court
100 E Bayou Street, Ste. 105
Farmerville, LA 71241
Telephone: (318) 368-3055

MAY 01 2018
Wanda Royal, Dy.
3rd District Court
Union Parish, Louisiana

RE: Stanley Jackson v. Family Dollar Stores of Louisiana, Inc., et al;
C.D. No.: 48, 208; 3RD JDC; Parish of Union

Dear Ms. Eubanks:

We are requesting that service be issued on Defendant, Family Dollar Stores of Louisiana, Inc., through Corporation Service Company at the following address:

Corporation Service Company
501 Louisiana Avenue
Baton Rouge, LA 70802

If you should have any questions or concerns, please contact our office at (318) 368-9543.

Sincerely,

Athena Goldsby
Legal Assistant
Smith & Nwokorie
Attorneys At Law

120 WEST MADISON-P.O. BOX 1182-BASTROP, LOUISIANA 71220-TELEPHONE (318) 283-2500 - FAX (318) 283-2597
104 WEST BAYOU ST.-P.O. BOX 532-FARMERVILLE, LOUISIANA 71241-TELEPHONE (318) 368-9543-FAX(318) 368-9545
300 WASHINGTON ST. STE 311, (71201)-P.O. BOX 610 (71210)-MONROE, LOUISIANA-TELEPHONE (318) 582-5544

CITATION

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA INC,
ET ALCase: 00000048208
Division:
3rd Judicial District Court
Parish of Union
State of LouisianaTo: FAMILY DOLLAR STORES OF LOUISIANA INC
CORPORATION SERVICE COMPANY
501 LOUISIANA AVENUE
BATON ROUGE, LA 70802

You are hereby summoned to comply with the demand contained in the Petition For Damages, exclusive of exhibits, which accompanies this citation or make an appearance either by filing a pleading or otherwise in the Third Judicial District Court in and for the Parish of Union, State of Louisiana within Fifteen (15) days after the service hereof, under penalty of default.

Witness my official hand and seal of office at Farmerville, Louisiana on this the 1st day of May, 2018.

Deputy Clerk of Court

Service Information

Received on the _____ day of _____, 20____ and on the _____ day of _____, 20____ served the above named party as follows:

Personal Service on the party herein named _____

Domiciliary Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:

Parish of _____ this _____ day of _____, 20____

Service \$ _____

Mileage \$ _____

Total \$ _____

By: _____
Deputy Sheriff

Filed in Clerk's Office

MAY 07 2018

MAY 14 2018

3rd Judicial District Court

Parish of Union, Louisiana

I made service on the named party through the
Corporation Services

by tendering a copy of this document to

Deputy Sheriff, Parish of East Baton Rouge, Louisiana

[RETURN COPY]

RECEIVED
MAY 04 2018

E.B.R. SHERIFFS OFFICE



BREAZEALE, SACHSE & WILSON, L.L.P. ATTORNEYS AT LAW

Filed in Clerk's Office

May 21, 2018

VIA FACSIMILE: (318) 368-3861

Dodi Eubanks, Clerk of Court
UNION PARISH COURTHOUSE
100 East Bayou Street, Suite 105
Farmerville, LA 71241-2843

Re: *Stanley Jackson v. Family Dollar Stores of Louisiana, Inc., et al.*;
3rd Judicial District Court; No. 48,208; Union Parish, LA
BSW File No. 15630-53129

Dear Dodi:

Attached please find Defendant Family Dollar Stores of Louisiana, Inc.'s Answer to Petition for Damages and Request for Notice for fax filing in the above-referenced matter.

Please confirm receipt of this filing, and include the associated costs for same, via return fax to my assistant, Linda Ladner, at (225) 410-6157. Upon receipt thereof, the original pleadings and my firm's check will be forwarded to you.

Thank you for your courtesy and attention to this request.

With best regards, I remain,

Very truly yours,

BREAZEALE, SACHSE & WILSON, LLP

Kelsey A. Clark
Kelsey A. Clark

KAC/III
Attachment

cc: Brian G. Smith (Via Email: lawofficebs@bellsouth.net)

KELSEY A. CLARK
Kelsey.Clark@bswllp.com

DIRECT DIAL: (225) 381-3174
CORPORATE PHONE: (225) 387-4000
FAX: (225) 381-8029
One American Place, 23rd Floor
Post Office Box 3197
Baton Rouge, Louisiana 70821-3197
www.bswllp.com

B A T O N R O U G E . N E W O R L E A N S

1576867.1

STANLEY JACKSON,
Plaintiff,

v.

FAMILY DOLLAR STORES OF
LOUISIANA, INC.
Defendants

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§

DOCKET NO. 48,208

3rd DISTRICT COURT

PARISH OF UNION

STATE OF LOUISIANA

Filed in Clerk's Office

MAY 21 2018

3rd District Court
Union Parish, Louisiana

ANSWER TO PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Defendant, Family Dollar Stores of Louisiana, Inc. ("Family Dollar"), which answers Plaintiff's Petition for Damages as follows:

1.

The allegations contained in paragraph 1 are directed toward the Court, and therefore require no answer from Family Dollar.

2.

The allegations contained in paragraph 2 are denied for lack of sufficient information to justify a belief therein.

3.

The allegations contained in paragraph 3 are denied.

4.

The allegations contained in paragraph 4 are denied.

5.

The allegations contained in paragraph 5 are denied.

6.

The allegations contained in paragraph 6 are denied.

7.

The allegations contained in paragraph 7, and all subparts thereof, are denied.

8.

The allegations contained in paragraph 8, and all subparts thereof, are denied.

9.

The allegations contained in paragraph 9 are denied.

10.

The allegations contained in paragraph 10 are denied.

**FURTHER ANSWERING, DEFENDANT, FAMILY DOLLAR STORES OF
LOUISIANA, INC., STATES:**

11.

Family Dollar specifically denies having any knowledge, whether actual or constructive, of any allegedly dangerous conditions on its premises on the date of plaintiff's alleged accident.

12.

Family Dollar specifically denies that it breached any duty owed to plaintiff.

13.

Family Dollar specifically denies that it failed to exercise reasonable care to keep its premises in a reasonably safe condition.

14.

Family Dollar specifically denies that it failed to exercise reasonable care to keep its premises free of hazardous conditions.

15.

Family Dollar specifically denies that the condition of the floor on which plaintiff allegedly fell presented an unreasonable risk of harm.

16.

Family Dollar specifically denies that it created the allegedly dangerous condition on the floor on which plaintiff allegedly fell.

17.

Family Dollar denies that any action or inaction on its part was a cause in fact or legal cause of any injuries/damages to Stanley Jackson.

18.

The fault of plaintiff is pled in bar or reduction of plaintiff's recovery.

19.

The fault of third parties for whom Family Dollar is not liable is pled in bar or reduction of plaintiff's recovery.

20.

Plaintiff's failure to mitigate his damages is pled in bar or reduction of plaintiff's recovery.

21.

Family Dollar is entitled to, and hereby requests, a trial by jury.

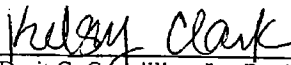
WHEREFORE DEFENDANT, FAMILY DOLLAR STORES OF LOUISIANA, INC., PRAYS that after due proceedings, there be judgment in its favor, dismissing plaintiff's claims with prejudice, and assessing all costs against plaintiff.

Alternatively, Family Dollar prays that any recovery in favor of plaintiff be reduced by an amount commensurate with a degree of fault attributable to plaintiff, and a degree of fault attributable to third parties for whom Family Dollar is not liable. Further, Family Dollar prays that any recovery in favor of plaintiff be reduced by an amount commensurate with plaintiff's failure to mitigate his damages.

Finally, Family Dollar prays for a trial by jury.

Respectfully submitted,

BREAZEALE, SACHSE & WILSON, L.L.P.
One American Place, 23rd Floor
Post Office Box 3197
Baton Rouge, Louisiana 70821-3197
Telephone: 225-387-4000
Fax: 225-381-8029



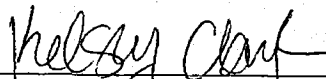
Druit G. Gremillion, La. Bar Roll No. 33867
Kelsey A. Clark, La. Bar Roll No. 36413
druid.gremillion@bswllp.com
kelsey.clark@bswllp.com
*Attorneys for Defendant,
Family Dollar Stores of Louisiana, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing *Answer to Plaintiff's Petition for Damages* has been sent this date via electronic mail to the following:

Brian G. Smith
SMITH & NWOKORIE
107 East Bayou Street
P. O. Box 532
Farmerville, LA 71241

Baton Rouge, Louisiana, on this 21st day of May, 2018.


Kelsey A. Clark

STANLEY JACKSON,
Plaintiff,

v.

FAMILY DOLLAR STORES OF
LOUISIANA, INC.
Defendants.

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DOCKET NO. 48,208

Filed in Clerk's Office

3rd DISTRICT COURT

PARISH OF UNION

STATE OF LOUISIANA

MAY 21 2018
Jannawick Sr.
3rd District Court
Lafayette Parish, Louisiana

REQUEST FOR NOTICE

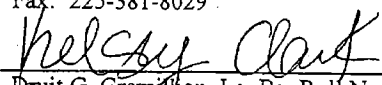
In accordance with the provisions of Articles 1571 and 1572 of the Louisiana Code of Civil Procedure, you are hereby requested to send to us written notice by mail, at least ten (10) days in advance of any date fixed for any and all conferences, hearings, and/or trials in matter, whether on exceptions, rules or the merits thereof, or any assignment of fixing of said case.

In accordance with the provisions of Article 1913 and 1914 of the Louisiana Code of Civil Procedure, you also hereby are requested to send to us immediately notice of any order or judgment made or rendered in this case, upon the entry of such order or judgment, whether interlocutory or final.

This request for notice is made with full reservation of all rights, and we thank you for your customary courtesy and cooperation.

Respectfully submitted,

BREAZEALE, SACHSE & WILSON, L.L.P.
One American Place, 23rd Floor
Post Office Box 3197
Baton Rouge, Louisiana 70821-3197
Telephone: 225-387-4000
Fax: 225-381-8029

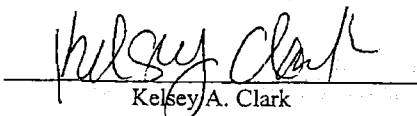

Druit G. Gremillion, La. Bar Roll No. 33867
Kelsey A. Clark, La. Bar Roll No. 36413
drut.gremillion@bswllp.com
kelsey.clark@bswllp.com
Attorneys for Defendant,
Family Dollar Stores of Louisiana, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing *Request for Notice* has been sent this date via electronic mail to the following counsel of record:

Brian G. Smith
SMITH & NWOKORIE
107 East Bayou Street
P. O. Box 532
Farmerville, LA 71241

Baton Rouge, Louisiana, on this 21st day of May, 2018.


Kelsey A. Clark



BREAZEALE, SACHSE & WILSON, L.L.P. | ATTORNEYS AT LAW

June 1, 2018

VIA FACSIMILE: (318) 368-3861

Dodi Eubanks, Clerk of Court
UNION PARISH COURTHOUSE
100 East Bayou Street, Suite 105
Farmerville, LA 71241-2843

KELSEY A. CLARK
Kelsey.Clark@bswllp.com
DIRECT DIAL: (225) 381-3174
CORPORATE PHONE: (225) 387-4000
FAX: (225) 381-8029
One American Place, 23rd Floor
Post Office Box 3197
Baton Rouge, Louisiana 70821-3197
www.bswllp.com

FILED
Union Parish Clerk of Court

JUN 01 2018
Deborah K. Andrews, Dy.
Deborah Andrews, Dy.

Re: *Stanley Jackson v. Family Dollar Stores of Louisiana, Inc., et al.*;
3rd Judicial District Court; No. 48,208; Union Parish, LA
BSW File No. 15630-53129

Dear Dodi:

Attached please find Defendant Sedgwick Claims Management Services, Inc.'s Answer to Petition for Damages and Request for Notice for fax filing in the above-referenced matter.

Please confirm receipt of this filing, and include the associated costs for same, via return fax to my assistant, Linda Ladner, at (225) 410-6157. Upon receipt thereof, the original pleadings and my firm's check will be forwarded to you.

Thank you for your courtesy and attention to this request.

With best regards, I remain,

Very truly yours,

BREAZEALE, SACHSE & WILSON, LLP

Kelsey A. Clark

KAC/III
Attachment

cc: Brian G. Smith (Via Email: lawofficebs@bellsouth.net)

B A T O N R O U G E . N E W O R L E A N S

1579987.1

STANLEY JACKSON,
Plaintiff,

V.

FAMILY DOLLAR STORES OF
LOUISIANA, INC.
Defendants

§ DOCKET NO. 48,208
§
§ 3rd DISTRICT COURT
§
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§
§ PARISH OF UNION
§
§ STATE OF LOUISIANA
§

FILED
Union Parish Clerk of Court

JUN 01 2018

Deborah X. Andrews
Deborah Andrews, Dy. A

ANSWER TO PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Defendant, Sedgwick Claims Management Services, Inc., improperly named in Plaintiff's Petition for Damages as Sedgwick Insurance Company, ("Sedgwick"), which answers Plaintiff's Petition for Damages as follows:

1.

The allegations contained in paragraph 1 are directed toward the Court, and therefore require no answer from Sedgwick.

2.

The allegations contained in paragraph 2 are denied for lack of sufficient information to justify a belief therein.

3.

The allegations contained in paragraph 3 are denied.

4.

The allegations contained in paragraph 4 are denied.

5.

The allegations contained in paragraph 5 are denied.

6.

The allegations contained in paragraph 6 are denied.

7.

The allegations contained in paragraph 7, and all subparts thereof, are denied.

8.

The allegations contained in paragraph 8, and all subparts thereof, are denied.

9.

The allegations contained in paragraph 9 are denied.

10.

The allegations contained in paragraph 10 are denied.

**FURTHER ANSWERING, DEFENDANT, SEDGWICK CLAIMS
MANAGEMENT SERVICES, INC., IMPROPERLY NAMED IN PLAINTIFF'S
PETITION FOR DAMAGES AS SEDGWICK INSURANCE COMPANY, STATES:**

11.

Sedgwick specifically denies having any knowledge, whether actual or constructive, of any allegedly dangerous conditions on its premises on the date of plaintiff's alleged accident.

12.

Sedgwick specifically denies that it breached any duty owed to plaintiff.

13.

Sedgwick specifically denies that it failed to exercise reasonable care to keep its premises in a reasonably safe condition.

14.

Sedgwick specifically denies that it failed to exercise reasonable care to keep its premises free of hazardous conditions.

15.

Sedgwick specifically denies that the condition of the floor on which plaintiff allegedly fell presented an unreasonable risk of harm.

16.

Sedgwick specifically denies that it created the allegedly dangerous condition on the floor on which plaintiff allegedly fell.

17.

Sedgwick denies that any action or inaction on its part was a cause in fact or legal cause of any injuries/damages to Stanley Jackson.

18.

The fault of plaintiff is pled in bar or reduction of plaintiff's recovery.

19.

The fault of third parties for whom Sedgwick is not liable is pled in bar or reduction of plaintiff's recovery.

20.

Plaintiff's failure to mitigate his damages is pled in bar or reduction of plaintiff's recovery.

21.

Sedgwick is entitled to, and hereby requests, a trial by jury.

22.

Sedgwick is not an insurance company and did not insure defendant Family Dollar Stores of Louisiana, Inc. at any time, including the time period at issue in this litigation.

23.

Sedgwick excepts to Plaintiff's Petition for Damages under La. C.C.P. art. 927(A)(5) because Plaintiff has no cause of action against Sedgwick as Sedgwick is a third party administrator, and not an insurance company.

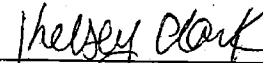
24.

Sedgwick excepts to Plaintiff's Petition for Damages under La. C.C.P. art. 927(A)(6) because Plaintiff has no right of action against Sedgwick as Sedgwick is a third party administrator, and not an insurance company.

WHEREFORE DEFENDANT, SEDGWICK CLAIMS MANAGEMENT SERVICES, INC., IMPROPERLY NAMED IN PLAINTIFF'S PETITION FOR DAMAGES AS SEDGWICK INSURANCE COMPANY, PRAYS that after due proceedings, there be judgment in its favor, dismissing plaintiff's claims with prejudice, and assessing all costs against plaintiff.

Alternatively, Sedgwick prays that any recovery in favor of plaintiff be reduced by an amount commensurate with a degree of fault attributable to plaintiff, and a degree of fault attributable to third parties for whom Sedgwick is not liable. Further, Sedgwick prays that any recovery in favor of plaintiff be reduced by an amount commensurate with plaintiff's failure to mitigate his damages. Finally, Sedgwick prays for a trial by jury.

Respectfully submitted,
BREAZEALE, SACHSE & WILSON, L.L.P.
One American Place, 23rd Floor
Post Office Box 3197
Baton Rouge, Louisiana 70821-3197
Telephone: 225-387-4000
Fax: 225-381-8029



Druit G. Gremillion, La. Bar Roll No. 33867
Kelsey A. Clark, La. Bar Roll No. 36413
drut.gremillion@bswllp.com
kelsey.clark@bswllp.com

Attorneys for Defendants, Family Dollar Stores of Louisiana, Inc. and Sedgwick Claims Management Services, Inc.

STANLEY JACKSON,
Plaintiff,

V.

FAMILY DOLLAR STORES OF
LOUISIANA, INC.
Defendants.

§ DOCKET NO. 48,208

§ 3rd DISTRICT COURT

§ PARISH OF UNION

§ STATE OF LOUISIANA

FILED

Union Parish Clerk of Court

JUN 01 2018

Deborah Andrews, Dy. Dy.

REQUEST FOR NOTICE

In accordance with the provisions of Articles 1571 and 1572 of the Louisiana Code of Civil Procedure, you are hereby requested to send to us written notice by mail, at least ten (10) days in advance of any date fixed for any and all conferences, hearings, and/or trials in matter, whether on exceptions, rules or the merits thereof, or any assignment of fixing of said case.

In accordance with the provisions of Article 1913 and 1914 of the Louisiana Code of Civil Procedure, you also hereby are requested to send to us immediately notice of any order or judgment made or rendered in this case, upon the entry of such order or judgment, whether interlocutory or final.

This request for notice is made with full reservation of all rights, and we thank you for your customary courtesy and cooperation.

Respectfully submitted,

BREAZEALE, SACHSE & WILSON, L.L.P.
One American Place, 23rd Floor
Post Office Box 3197
Baton Rouge, Louisiana 70821-3197
Telephone: 225-387-4000
Fax: 225-381-8029

Kelsey Clark

Druit G. Gremillion, La. Bar Roll No. 33867

Kelsey A. Clark, La. Bar Roll No. 36413

drut.gremillion@bswllp.com

kelsey.clark@bswllp.com

*Attorneys for Defendants, Family Dollar Stores of
Louisiana, Inc. and Sedgwick Claims Management
Services, Inc.*

STANLEY JACKSON,
Plaintiff,

V.

FAMILY DOLLAR STORES OF
LOUISIANA, INC.
Defendants.

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DOCKET NO. 48,208

3rd DISTRICT COURT

PARISH OF UNION

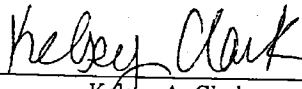
STATE OF LOUISIANA

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing *Answer to Plaintiff's Petition for Damages and Request for Notice* has been sent this date via electronic mail to the following:

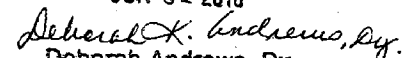
Brian G. Smith
SMITH & NWOKORIE
107 East Bayou Street
P. O. Box 532
Farmerville, LA 71241

Baton Rouge, Louisiana, on this 1st day of June, 2018.


Kelsey A. Clark

FILED
Union Parish Clerk of Court

JUN 01 2018


Deborah Andrews, Dy.

STANLEY JACKSON,
Plaintiff,

v.

FAMILY DOLLAR STORES OF
LOUISIANA, INC.
Defendants

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DOCKET NO. 48,208

3rd DISTRICT COURT

PARISH OF UNION

STATE OF LOUISIANA

Filed in Clerk's Office

JUN 14 2018
J. P. Narawong
Clerk of Court
State of Louisiana

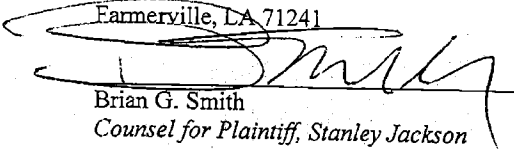
MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOW COMES Plaintiff, Stanley Jackson, who moves that all claims in the above numbered and entitled matter against Sedgwick Insurance Company be dismissed in their entirety. Plaintiff specifically reserves all rights and claims against Family Dollar Stores of Louisiana, Inc. WHEREFORE, Plaintiff STANLEY JACKSON pray that this motion for voluntary dismissal without prejudice, be granted.

RESPECTFULLY SUBMITTED,

BY ATTORNEY:

Brian G. Smith
SMITH & NWOKORIE
107 East Bayou Street
P. O. Box 532
Farmerville, LA 71241

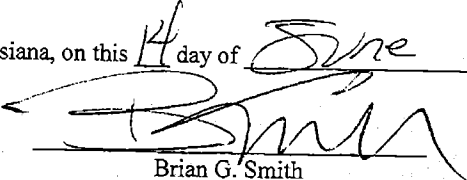

Brian G. Smith
Counsel for Plaintiff, Stanley Jackson

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing *Motion for Voluntary Dismissal Without Prejudice and Order of Dismissal* has been sent via email as follows:

Kelsey A. Clark
One American Place, 23rd Floor
P. O. Box 3197
Baton Rouge, La. 70821-3197
E: kelsey.clark@bswllp.com

Farmerville, Louisiana, on this 14 day of June, 2018.


Brian G. Smith

STANLEY JACKSON,
Plaintiff,

V.

FAMILY DOLLAR STORES OF
LOUISIANA, INC.
Defendants

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DOCKET NO. 48,208

3rd DISTRICT COURT

PARISH OF UNION

STATE OF LOUISIANA

Filed in Clerk's Office

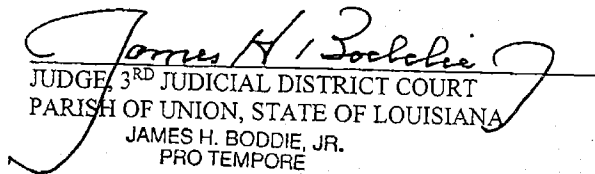
JUN 15 2018
Janna W. - Dy.
Clerk of Court

ORDER OF DISMISSAL

Considering the foregoing *Motion for Voluntary Dismissal Without Prejudice*:

IT IS ORDERED that all claims of Plaintiff, Stanley Jackson, against Defendant, Sedgwick Insurance Company, are hereby dismissed. Plaintiff reserves all rights and claims against Family Dollar Stores of Louisiana, Inc.

Union Parish, Louisiana, on this 15 day of June, 2018.


JUDGE, 3RD JUDICIAL DISTRICT COURT
PARISH OF UNION, STATE OF LOUISIANA
JAMES H. BODDIE, JR.
PRO TEMPORE

PLEASE SEND NOTICE OF THE SIGNING OF THIS ORDER TO:

Kelsey A. Clark
One American Place, 23rd Floor
P. O. Box 3197
Baton Rouge, La. 70821-3197

and

Brian G. Smith
SMITH & NWOKORIE
107 East Bayou Street
Farmerville, LA 71241

NOTICE

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA INC,
ET AL



Case: 00000048208

Division:

3rd Judicial District Court

Parish of Union

State of Louisiana

To: KELSEY A CLARK
BREAZEALE, SACHSE & WILSON, L.L.P.
ONE AMERICAN PLACE, 23RD FLOOR
P O BOX 3197
BATON ROUGE, LA 70821

IT IS ORDERED that all claims of Plaintiff, Stanley Jackson, against Defendant, Sedgwick Insurance Company, are hereby dismissed. Plaintiff reserves all rights and claims against Family Dollar Stores of Louisiana, Inc.

**** See certified copies attached. ****

This the 15th day of June, 2018.

Deputy Clerk of Court
Union Parish Louisiana

NOTICE

STANLEY JACKSON

Versus

FAMILY DOLLAR STORES OF LOUISIANA INC,
ET AL



Case: 00000048208
Division:
3rd Judicial District Court
Parish of Union
State of Louisiana

To: BRIAN G SMITH
SMITH & NWOKORIE
107 EAST BAYOU STREET
P. O. BOX 532
FARMERVILLE, LA 71241

IT IS ORDERED that all claims of Plaintiff, Stanley Jackson, against Defendant, Sedgwick Insurance Company, are hereby dismissed. Plaintiff reserves all rights and claims against Family Dollar Stores of Louisiana, Inc.

**** See certified copy attached. ****

This the 15th day of June, 2018.

Deputy Clerk of Court
Union Parish Louisiana